UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK
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JACCARD CORPORATION,

                         Plaintiff,

                                               DECISION AND ORDER

                                               15-CV-6248L

          v.

THIS LLC,

                         Defendant.

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       This case involves a trademark dispute between plaintiff Jaccard Corporation and defendant This LLC. The case has been referred to United States Magistrate Judge Jonathan W. Feldman for supervision of discovery and other non-dispositive pretrial matters. (Dkt. #20.)

       Defendant has filed a motion to dismiss or to transfer the case (Dkt. #9). By way of letter to the Court (Dkt. #18), plaintiff has requested permission to file a sur-reply in opposition to the motion. Defendant opposes that request. (Dkt. #19.)

       After reviewing both sides' submissions, the Court grants plaintiff's request. Plaintiff may file a sur-reply brief, not to exceed five (5) pages in length, no later than ten (10) days after the date of issuance of this Order.

       In its letter to the Court, plaintiff also requests certain relief concerning defendant's alleged violation of a protective order that was issued in a related case in the District of Connecticut. *See* Dkt. #18 Ex. A. That matter is referred for resolution to Magistrate Judge Feldman, as set forth below.

CONCLUSION

Plaintiff's request for leave to file a sur-reply brief (Dkt. #18), in response to defendant's motion to transfer or dismiss (Dkt. #17), is granted. Plaintiff may file a sur-reply, not to exceed five (5) pages, no later than ten (10) days after the date of issuance of this Decision and Order.

The parties are directed to contact the Chambers of Magistrate Judge Jonathan W. Feldman for the purposes of scheduling a Rule 16 conference, and to resolve the parties' dispute concerning defense counsel's alleged breach of a protective order entered in a related case in the United States District Court for the District of Connecticut.

IT IS SO ORDERED.

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DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
      February 19, 2016.